STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

ORDER

APPLICATION	18375	PERMIT	12814	LICENSE	

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING THE PERMIT

WHEREAS:

Act Charles

- 1. Permit 12814 was issued to San Luis Obispo County Flood Control and Water Conservation District on May 31, 1961 pursuant to Application 18375.
- 2. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
- 3. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
- 4. Permit Condition 7 pertaining to the continuing authority of the Board should be updated to conform to Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. New Development Schedule of the permit be amended to read:

COMPLETE APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE MADE ON OR BEFORE

December 31, 2001

(0000009)

2. Paragraph 7 of this permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and

Permit 12814 (Application 18375) Page 2

> operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected (0000012) by the public trust.

Dated:

MARCH

Anton, Chief Division of Water Rights

A12814

STATE OF CALIFORNIA THE RESOURCES AGENCY STATE WATER RESOURCES CONTROL BOARD DIVISION OF WATER RIGHTS

ORDER

18375	
APPLICATION	

12814

LICENSE__

ORDER APPROVING CHANGE IN PURPOSE OF USE, AND PLACE OF USE AND AMENDING THE PERMIT

WHEREAS:

- 1. A petition to add to the purpose of use and place of use has been filed with the State Water Recources Control Board.
- 2. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The purposes of use under this permit shall be as follows:

Domestic, Irrigation, Municipal, Industrial, Recreational and Incidental Power

2. The place of use under this permit is amended as follows:

Zone 3 Service area a net of 18,000 acres of irrigated acreage within a gross area of 163,140 acres, as shown on map on file with the State Water Resources Control Board; a powerplant at the Lopez Water Treatment Plant Forebay; and Recreational use at Lake Lopez.

3. Paragraph 7 of this permit is deleted. A new Paragraph 7 is added as follows:

Pursuant to California Water Code Sections 100 and 275, all rights and privilege under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to (0000012) the particular situation.

4. Paragraph 10 is added to this permit as follows:

The State Water Resources Control Board, under its authority to conserve the public interest, retains continuing authority over this permit to require permittee to develop and implement a water conservation program, after notice and opportunity for hearing. The requirements for this term may be satisfied by permittee's compliance with any comprehensive water conservation program, approved by the State Water Resources Control Board, which may be imposed by a public agency.

AUGUST 1 0 1982

Dated:

Raymond Walsh, Chief

Division of Water Rights

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

2125 19TH STREET SACRAMENTO, CALIFORNIA 95818

(916) 445-2055



ORDER APPROVING A NEW DEVELOPMENT SCHEDULE AND AMENDING PERMIT

PERMIT 12814

APPLICATION 18375

WHEREAS:

- 1. A PETITION FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT AND APPLY THE WATER TO THE PROPOSED USE HAS BEEN FILED WITH THE STATE WATER RESOURCES CONTROL BOARD.
- 2. IT APPEARS THAT THE PERMITTEE HAS PROCEEDED WITH DILIGENCE AND THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME.
- 3. THE STATE WATER RESOURCES CONTROL BOARD HAS DULY AUTHORIZED THE CHIEF, DIVISION OF WATER RIGHTS, TO SIGN THIS ORDER.

NOW, THEREFORE, IT IS ORDERED THAT:

1. A NEW DEVELOPMENT SCHEDULE IS APPROVED AS FOLLOWS:

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1986

2. PARAGRAPH 7 OF THE PERMIT BE AMENDED TO READ AS FOLLOWS: PURSUANT TO WATER CODE SECTION 100, ALL RIGHTS AND PRIVILEGES UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO, INCLUDING METHOD OF DIVERSION, METHOD OF USE, AND QUANTITY OF WATER DIVERTED, ARE SUBJECT TO THE CONTINUING AUTHORITY OF THE STATE WATER RESOURCES CONTROL BOARD IN ACCORDANCE WITH LAW AND IN THE INTEREST OF THE PUBLIC WELFARE TO PREVENT WASTE, UNREASONABLE USE, UNREASONABLE METHOD OF USE, OR UNREASONABLE METHOD OF DIVERSION OF SAID WATER.

THIS CONTINUING AUTHORITY OF THE BOARD MAY BE EXERCISED BY IMPOSING SPECIFIC REQUIREMENTS OVER AND ABOVE THOSE CONTAINED IN THIS PERMIT WITH A VIEW TO MINIMIZING WASTE OF WATER AND TO MEETING THE REASONABLE WATER REQUIREMENTS OF PERMITTEE WITHOUT UNREASONABLE DRAFT ON THE SOURCE. PERMITTEE MAY BE REQUIRED TO IMPLEMENT SUCH PROGRAMS AS (1) REUSING OR RECLAIMING THE WATER ALLOCATED; (2) RESTRICTING DIVERSIONS SO AS TO ELIMINATE AGRICULTURAL TAILWATER OR TO REDUCE RETURN FLOW; (3) SUPPRESSING EVAPORATION LOSSES FROM WATER SURFACES; (4) CONTROLLING PHREATOPHYTIC GROWTH; AND (5) INSTALLING, MAINTAINING, AND OPERATING EFFICIENT WATER MEASURING DEVICES TO ASSURE COMPLIANCE WITH THE QUANTITY LIMITATIONS OF THIS PERMIT AND TO DETERMINE ACCURATELY WATER USE AS

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PERMIT 12814 PAGE 2

APPLICATION 18375

AGAINST REASONABLE WATER REQUIREMENTS FOR THE AUTHORIZED PROJECT. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD DETERMINES, AFTER NOTICE TO AFFECTED PARTIES AND OPPORTUNITY FOR HEARING, THAT SUCH SPECIFIC REQUIREMENTS ARE PHYSICALLY AND FINANCIALLY FEASIBLE AND ARE APPROPRIATE TO THE PARTICULAR SITUATION.

3. THE QUANTITY OF WATER DIVERTED UNDER THIS PERMIT AND UNDER ANY LICENSE ISSUED PURSUANT THERETO IS SUBJECT TO MODIFICATION BY THE STATE WATER RESOURCES CONTROL BOARD, IF, AFTER NOTICE TO THE PERMITTEE AND AN OPPORTUNITY FOR HEARING, THE BOARD FINDS THAT SUCH MODIFICATION IS NECESSARY TO MEET WATER QUALITY OBJECTIVES IN WATER QUALITY CONTROL PLANS WHICH HAVE BEEN OR HEREAFTER MAY BE ESTABLISHED OR MODIFIED PURSUANT TO DIVISION 7 OF THE WATER CODE. NO ACTION WILL BE TAKEN PURSUANT TO THIS PARAGRAPH UNLESS THE BOARD FINDS THAT (1) ADEQUATE WASTE DISCHARGE REQUIREMENTS HAVE BEEN PRESCRIBED AND ARE IN EFFECT WITH RESPECT TO ALL WASTE DISCHARGES WHICH HAVE ANY SUBSTANTIAL EFFECT UPON WATER QUALITY IN THE AREA INVOLVED, AND (2) THE WATER QUALITY OBJECTIVES CANNOT BE ACHIEVED SOLELY THROUGH THE CONTROL OF WASTE DISCHARGES.

DATED:

MARCH 1 0 1977

R. L. ROSENBERGER, CHIEF DIVISION OF WATER RIGHTS

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STATE WATER RIGHTS BOARD ORDER

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PERMIT_12814

LICENSE____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 12814; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

Construction work shall be completed on or before December 1, 1970 (000008)

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE

DECEMBER 1, 1974 (000009)

DATED: APR 3 1967

L. K. HILL

EXECUTIVE OFFICER

For full information concerning the filling out of this form refer to Article 4 of Rules and Regulations Pertaining to Appropriation of Water

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 18375 Filed October 16, 1958, at 8:58 A.M. (Applicant must not fill in the above blanks)
APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER AMENDED APPLICATION RECEIVED 5-13-59 - 2-17-60 - 3-18-60
I, San Luis Obispo County Flood Control and Water Conservation District
Name of applicant or applicants of Room 100 Court House, San Luis Obispo County of San Luis Obispo Address
State of California , do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, SUBJECT TO VESTED RIGHTS:
Source, Amount, Use and Location of Diversion Works
1. The source of the proposed appropriation is Arroyo Grande Creek Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in San Luis Obisp County, tributary to Pacific Ocean
2. The amount of water which applicant desires to appropriate under this application is as follows:
(a) For diversion to be directly applied to beneficial use see supplemental statement cubic feet per 1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from
(b) For diversion to be stored and later applied to beneficial use 50,000 acre-feet
per annum, to be collected between October 1 and July 1 of each season.
Beginning date Closing date Note.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request.
3. The use to which the water is to be applied is domestic, irrigation, municipal, industrial and Domestic, irrigation, power, municipal, mining, industrial, recreational
recreational purposes.
4. The point of diversion is to be located at the storage dam located 1,560.24 feet south of the State bearing and distance or coordinate distances from section or quarter section corner
NW corner of Section 33
being within the SW1 of NW1. State 40-acre subdivision of public land survey or projection thereof
of Section 33, T. 31S, R. 14E, M. D. B. & M., in the County of San Luis Obispo See supplemental statement
5. The main conduit terminates in of Sec, T, R, B. & M. State 40-acre subdivision of U. S. Government survey or projection thereof
Description of Diversion Works
NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.
6. Intake or Headworks (fill only those blanks which apply) Re- from underground water
(a) Diversion will be made by pumping from individual wells within the service area See supplemental statement Sump, offset well, unobstructed channel, etc.
(b) Diversion will be by gravity, the diverting dam beingfeet in height (stream bed to
level of overflow);feet long on top; and constructed of
(c) The storage dam will be 143 feet in height (stream bed to overflow level); 984 feet
long on top; have a freeboard of 16 feet, and be constructed of earthfill
7. Storage Reservoir Lopez Reservoir
The storage reservoir will flood lands in Sections 16, 20-23, 26-29, 32-35, T31S,R14E, MDB&M
Indicate section or sections, also 40-acre subdivisions unless shown upon map It will have a surface area of 940 acres, and a capacity of 50, 600 acre-feet. In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

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Source of Other Supply	Season of Use	Use made in recent years	Year of First Use	sof Right	
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8. Conduit System (describe main conduits only)

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 18814

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed fifty thousand (50,000) acre-feet per annum to be collected from about October 1 of each year to about July 1 of the succeeding year.

(000005)

- 2. The maximum amount herein stated may be reduced in the license if investigation so warrants.
- 3. Actual construction work shall begin on or before December 1, 1961, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked. (000007)
 - 4. Said construction work shall be completed on or before

December 1, 1965. (00000 %)

5. Complete application of the water to the proposed use shall be made on or before

December 1, 1970. (0000009)

- 6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.
- 7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said occupation.
- 8. A separate application for the approval of plans and specifications for construction of the dam shall be filed with and approved by the Department of Water Resources prior to commencement of construction of the dam described in this approved water right application.

 (0360048)
- 9. In accordance with the requirements of Water Code Section 1393, permittee shall clear the site of the proposed reservoir of all structures, trees and other vegetation which would interfere with the use of the reservoir for water storage and recreational purposes.

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: MAY 3 1 1961

STATE WATER RIGHTS BOARD

L. K. Hill

Executive Officer

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DO NOT WRITE IN THIS SPACE

DISTRICT	SAN LUIS OBISPO COUNTY SAN LUIS OBISPO COUNTY SAN LUIS OBISPO COUNTY
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